

1 HONORABLE RONALD B. LEIGHTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

EDWARD M. GLASMANN,

Plaintiff,

v.

PIERCE COUNTY SHERIFF'S OFFICE;
PIERCE COUNTY, WASHINGTON;
LAKEWOOD POLICE DEPARTMENT;
CITY OF LAKEWOOD, WASHINGTON,

Defendants.

Case No. C07-5193RBL

ORDER ON MOTIONS IN LIMINE

Plaintiff's Motions in Limine [Dkt. #63]:

1A. Exclude evidence that plaintiff had been hiding from the police in Thurston County because of an alleged felony eluding of a police officer for weeks before this incident.

Ruling: This evidence will not be admissible on the issue of liability but will be admissible on the issue of damages.

1B. Exclude evidence of the details of domestic violence between plaintiff and his girlfriend, Angel Benson, occurring at a nearby motel.

Ruling: This evidence will not be admissible on the issue of liability but will be admissible on the issue of damages.

1C. Exclude evidence that plaintiff had run over the leg of Benson outside the hotel.

Ruling: **Reserve.**

1D. Exclude evidence that Benson and plaintiff had taken methamphetamine and/or other illegal drugs before the confrontation with police.

Ruling: Reserve.

1E. Exclude evidence that plaintiff had previously assaulted Benton about a month before.

Ruling: Grant.

1F. Exclude evidence that plaintiff was on supervised probation at the time of this incident, and was avoiding submission of a urine sample to his probation officer by failing to report.

Ruling: Grant.

2. Exclude evidence that plaintiff got a sentence of 198 months from this incident.

Ruling: This evidence will not be admissible on the issue of liability but will be admissible on the issue of damages.

3. Exclude evidence as to any prior conviction of plaintiff not admissible under ER609.

Ruling: Reserved.

4. Exclude evidence as to any offers of compromise.

Ruling: Grant.

5. Exclude evidence as to how plaintiff retained counsel, paid for counsel, or the fact that he had prior counsel.

Ruling: Grant.

Defendants' Motions in Limine:

[Dkt. #59]

A. Exclude testimony and evidence relating to subsequent remedial actions and discipline.

Ruling Grant.

B. Exclude evidence of subsequent investigation.

Ruling: Grant in Part. Conclusions reached by investigating officers who were not on the scene at the time of the incident are not relevant. Reports by eye-witness officers are relevant and are not excluded by this Order.

1 [Dkt. #60]

2 C. Exclude expert testimony of George Williams.

3 Ruling: **Reserve.**

4 [Dkt. #61]

5 D. Exclude Plaintiff's testimony and evidence regarding injuries.

6 Ruling: **Deny.**

7 [Dkt. #62]

8 E. Exclude Evidence of defendants' liability insurance.

9 Ruling: **Grant.**

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11 Dated this 21st day of January, 2009.

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14 RONALD B. LEIGHTON
15 UNITED STATES DISTRICT JUDGE
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